

## REMARKS

In response to the Office Action mailed October 29, 2009, Applicant respectfully requests reconsideration in view of the amendments presented herein and the remarks that follow.

Claims 39-42, 44-52, and 54-55 remain in this application. Claims 43 and 53 have been canceled. Claims 39, 46, 49, and 55 have been amended to incorporate the allowed subject matter of Claims 43 and 53.

### *Terminal Disclaimer*

Attached herewith is an updated terminal disclaimer to overcome the objection to the previously filed terminal disclaimer set forth in the Office Action.

### *Allowable Subject Matter*

Applicant thanks the Examiner for the indicated allowability of Claims 42 and 53. However Applicant believes, based on the comments provided in the Office Action, that the Examiner meant to indicate allowability of Claim 43 and not Claim 42. Applicant has amended independent Claims 39, 46, 49, and 55 based on the subject matter of Claims 43 and 53 that was indicated allowable by the Examiner. The Examiner is respectfully requested to contact the undersigned if Applicant's interpretation of the allowable claim numbers is incorrect. Accordingly, Applicant submits that all pending claims are in condition for allowance, for which early action is requested.

### *No Disclaimers or Disavowals*

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically

disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

### CONCLUSION

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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